<center>REMARKS</center>

Claims 1 to 6, 8 to 10, 19 to 24, and 26 to 28 are pending in this application, of which

claims 1 and 19 are the independent claims.[1] Favorable reconsideration and further examination

are respectfully requested.

Initially, the method claims were rejected under §101 for allegedly not being directed to

statutory subject matter. As shown above, the method claims now recite that they are performed

via a processing device, and that recitation is not solely in the preamble of claim 1. Accordingly,

withdrawal of the §101 rejection is respectfully requested.

The claims were objected to for the reason noted on page 4 of the Office Action. The

claims have been amended, and withdrawal of the objection is respectfully requested.

Turning to the art rejections, claims 1 to 3 and 19 to 21 were rejected under §102(e) over

U.S. Patent No. 5,381,332 (Wood). The remaining (dependent) claims were rejected over Wood

in view of the MSP 1998 reference. As shown above, the claims have been amended.

Independent claim 1 recites

> 1. A method performed on a processing device, comprising:
> storing, via the processing device, a simulation version of a project baseline, the simulation
> version comprising first objects that define elements of the project baseline;
> copying, via the processing device, the simulation version to create an operative version of the
> project baseline;
> augmenting, via the processing device, the simulation version by associating second objects
> with the first objects, the first objects being separate from the second objects, and the first objects
> not changing when the simulation version is augmented thereby maintaining an original version of
> the project baseline despite subsequent baseline changes;
> changing, via the processing device, the operative version in connection with changes to the
> simulation version, the operative version comprising third objects that are changed in accordance
> with the second objects;
> updating, via the processing device, a portion of the project baseline in the operative version
> that succeeds a time at which the operative version is changed; and

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[1] The Examiner is urged to independently confirm this recitation of the pending claims.

obtaining, via the processing device, an earned value for a project that corresponds to the
updated project baseline, the earned value being obtained via the changed operative version.

The applied art is not understood to disclose or to suggest at least the underlined portions of

claim 1 above. In this regard, the Office Action states the following regarding the former feature

of "changing the simulation version":

- changing the simulation version by associating second objects with the baseline
  objects, the first objects being separate from the second objects and the first
  objects not changing when the simulation version is changed (see figure 9B: item
  28, disclosing transferring revisions to the baseline from viewpoint to control;
  figure 10: items 1014 and 28, disclosing transferring revisions to the project
  baseline; column 11: lines 7-40, disclosing altering the baseline while maintaining
  the original version in an archive; column 21: lines 20-35); 2

As we understand it, the cited portions of Wood, however, describe actually changing the

simulation version, not maintaining an original version of the project baseline despite subsequent

baseline changes. For example, in column 11, Wood describes (emphasis added):

> When the project is underway, it often becomes nec-
> essary to alter the baseline when the original plans ap-
> pear to be no longer valid. When an NST file 512 con-
> tains data for a new or revised baseline, a user makes 10
> selection 1014 to perform module 28. Module 28 pro-
> cesses the revision data to form a new baseline. Accord-
> ingly, NST 140 is operated repetitively during the
> course of a project to produce numerous versions of
> NST file 512. A user selects baseline, status, and revi- 15
> sion modules 11, 20, and 28, respectively, to appropri-
> ately process the various versions of NST file 512.

Later, in column 11, Wood also describes "an archive file…used in maintaining secure baseline

data".[3] It appears, however, that this archive includes the baseline with any selected revisions,

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[2] Office Action, page 7

not the original baseline (see, e.g., Fig. 11 of Wood). Furthermore, contrary to what is said in the

Office Action, we do not understand Wood to disclose or to suggest that a simulation version of

a baseline is augmented by associating second objects with first objects (that define elements of

the project baseline), and that the first objects are separate from the second objects to maintain an

original version of the project baseline despite subsequent baseline changes. Rather, as

explained above, it appears that Wood actually modifies data that defines the baseline, and does

not simply augment that data with other objects, and without changing that data. We use the

term "data" here to describe the information that makes up Wood's baseline because, as

confirmed by a text search, nowhere does Wood use the word "object" to describe such

information.

The MSP 1998 reference is not understood to remedy the foregoing deficiencies of Wood

vis-à-vis claim 1. In this regard, the MSP 1998 reference describes saving multiple versions of

baselines, e.g., in the following excerpt:

> **Baseline and BaselineX task**
>
> A baseline must be saved before any of the above fields that rely on baseline data can be calculated. There are 11 baselines that can be saved, Baseline, and Baselines 1 through Baseline 10. Only one baseline can be used at a time to calculate earned value however. To select which baseline will be used, select **Tools** on the Main menu and click **Options** then chose the **Calculations** tab and click the **Earned Value** button and select which baseline data to use.   4

However, the MSP 1998 reference is likewise not understood to disclose or to suggest that a

simulation version of a baseline is augmented by associating second objects with first objects

(that define elements of the project baseline), and that the first objects are separate from the

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[3] Col. 11, lines 38 to 40
[4] Lesson 19: Earned Value, page 7

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second objects to maintain an original version of the project baseline despite subsequent baseline changes. Accordingly, claim 1 is believed to be patentable over the applied art.

Independent claim 19 is a machine-readable medium claim that roughly corresponds to claim 1, and is also believed to be patentable.

Dependent claims are also believed to define patentable features. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, we respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

The undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

Please apply any required fees to deposit account 06-1050, referencing the attorney

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Respectfully submitted,

January 14, 2010   /Paul Pysher/

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